

Application No.: 10/761,881

**REMARKS**

The restriction requirement is respectfully traversed for the following reasons. Contrary to the examiners contention that " In this case, the apparatus could be used for etching, deposition, heat treatment, surface inspection, or any other surface treatment for a substrate mounted in the ring opening.", the present invention insert ring which has a ring body with an annular step provided on the body and spaced-apart from the central ring opening can only be used in an etching process. The present invention apparatus would not to be suitable for any other processes described by the examiner, for instance, for a deposition process wherein the gap between the insert ring and the substrate would immediately be bridged over by the deposition material, and thus rendered the present invention insert ring useless. The purpose of the present invention insert ring with the perpendicular gap is to reduce polymer formation between the insert ring and the ESC, which is not a problem encountered in a deposition process, or in a heat treatment process.

The restriction requirement imposed by the examiner is therefore respectfully traversed. The simultaneous examination of the method claims 17-20 with the apparatus claims 1-16 is respectfully requested of the examiner.

Applicants hereby respectfully elect Group II Apparatus claims 1-16 with traverse.

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Respectfully submitted,

**TUNG & ASSOCIATES**

A handwritten signature in black ink, appearing to be "Randy W. Tung", written over a horizontal line.

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